United Nations Convention on the Law of the Sea SPLOS/182

Meeting of States Parties

Distr.: General
20 June 2008

Original: English

Eighteenth Meeting
New York, 13-20 June 2008

Decision on the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea

The Meeting of States Parties,

Noting with satisfaction the steady growth in the number of States parties to the United Nations Convention on the Law of the Sea,

Recalling the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the Convention,

Recalling also the importance and past practice of reaching general agreement of all States parties on the allocation of seats,

Further recalling article 2 of annex II and articles 2 and 3 of annex VI to the Convention concerning the composition of the Commission on the Limits of the Continental Shelf and of the International Tribunal for the Law of the Sea,

Recalling its decision SPLOS/163 of 10 July 2007, adopted during the seventeenth Meeting of States Parties to the United Nations Convention on the Law of the Sea, held at New York on 14 June and from 18 to 22 June 2007,

Recognizing the need to reach an updated agreement on the allocation of seats for both the Commission and the Tribunal consistent with equitable geographic representation and equitable geographic distribution as set out in the Convention,

Having considered the two joint proposals contained in documents SPLOS/L.56 and SPLOS/L.57 in relation to the allocation of seats on the Commission and the Tribunal to reflect the increase in the number of States parties (see SPLOS/163, annexes I and II),

1. *Decides* that it will have exhausted all efforts to reach a general agreement, by the nineteenth Meeting of States Parties, on the allocation of seats for the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea;

2. *Also decides* to adopt a decision, during the commencement of the nineteenth Meeting of States Parties, on the allocation of seats to the Commission

08-39888 (E) 030708

and the Tribunal, on the basis, inter alia, of the proposal of the Asian and African States parties contained in document SPLOS/L.56, which reads as follows:

"*The Meeting of States Parties*,

"*Recalling* the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the United Nations Convention on the Law of the Sea,

"*Recalling also* its decision SPLOS/163 of 10 July 2007, adopted during the seventeenth Meeting of States Parties to the United Nations Convention on the Law of the Sea, held at New York on 14 June and from 18 to 22 June 2007,

"*Recognizing* the past substantial growth in the number of, in particular, African and Asian States parties, the present decision is being taken in order to satisfy the need for revision of, and some certainty in, the equitable geographical representation in the composition of the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea,

"*Having considered* the two joint proposals from the African and Asian States parties in relation to the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea, to reflect the increase in the number of States parties (see SPLOS/163, annexes I and II),

"*Decides* that:

(a) The allocation of seats of the Commission on the Limits of the Continental Shelf shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Commission will be elected as follows:

(i) Five members of the Commission shall be elected from the Group of African States;

(ii) Five members of the Commission shall be elected from the Group of Asian States;

(iii) Three members of the Commission shall be elected from the Group of Eastern European States;

(iv) Four members of the Commission shall be elected from the Group of Latin American and Caribbean States;

(v) Three members of the Commission shall be elected from the Group of Western European and other States;

(vi) The additional one seat of the African and Asian Groups in the Commission shall rotate. Asia shall occupy six seats in the next elections to the Commission; Africa shall occupy six seats in the elections following those, and so on;

(b) The allocation of seats of the International Tribunal for the Law of the Sea shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Tribunal will be elected as follows:

(i) Five judges shall be elected from the Group of African States;

(ii) Five judges shall be elected from the Group of Asian States;

(iii) Three judges shall be elected from the Group of Eastern European States;

(iv) Four judges shall be elected from the Group of Latin American and Caribbean States;

(v) Three judges shall be elected from the Group of Western European and other States;

(vi) The additional one seat in the Tribunal shall rotate between the African and Asian Groups. Africa shall occupy six seats in the next elections to the Tribunal; Asia shall occupy six seats in the elections following those, and so on;

(c) The above arrangements will be applicable to future elections, while not prejudicing new arrangements necessitated by the proportional growth of any regional group."